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PATENT APPLICATION
Mo-6691
LeA 34.993

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
ULRICH MEISEN)
SERIAL NUMBER: 10/047,315)
FILED: JANUARY 14, 2002)
TITLE: PROCESS FOR PRODUCING)
MAGNETITE PARTICLES)

RESPONSE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the office action dated December 31, 2003 subjecting the claims in the application to a restriction requirement as follows:

- I. Claims 1-5, drawn to a process of making magnetite, classified in class 423, subclass 632.
- II. Claims 6-9, drawn to a process for coloring matter, classified in class 106, subclass 1+.
- III. Claim 10, drawn to a magnetic toner, classified in class 430, subclass 1+.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 01/30/04

Godfried R. Akorli Reg. No. 28,779 Date
Name of applicant, assignee or Registered Representative

Signature
January 30, 2004

Date

The restriction is based on the grounds that the invention of the three groups are unrelated in that it can be shown that they are not disclosed as capable of use together, and that they have different modes of operation, different functions, or different effects.

Applicants traverse the rejection because the record does not provide a showing establishing a prima facie case for the restriction. For the restriction to stand, the Examiner should establish such a prima facie case.


To the contrary, it is Applicants submission that claims directed to the process of making the recited magnetite, magnetic toner made with the magnetite and a process for coloring matter with such magnetite are so logically related that it would be administratively and economically expedient to search and examine the claims at the same time.

Applicants, nonetheless, elect the claims of Group 1, with traverse.

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Respectfully submitted,

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